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13 Attorneys for Defendant LIBERTY MUTUAL  
 14 PERSONAL INSURANCE COMPANY

15 UNITED STATES DISTRICT COURT

16 DISTRICT OF NEVADA

17 BRITTANY MCFADDEN, individually,  
 18 MARC MCFADDEN, individually,

19 Plaintiffs,

20 v.

21 LIBERTY MUTUAL PERSONAL  
 22 INSURANCE COMPANY; DOE  
 23 INDIVIDUALS 1-20, inclusive; and ROE  
 24 CORPORATIONS 1-20, inclusive,

25 Defendants.

26 Case No. 2:24-cv-02322-APG-BNW

**27 STIPULATION AND ORDER TO  
 28 DISMISS PLAINTIFFS' EXTRA-  
 CONTRACTUAL CAUSES OF ACTION  
 WITHOUT PREJUDICE AND TO  
 WITHDRAW MOTION TO DISMISS**

29  
 30 IT IS HEREBY STIPULATED by and between the parties hereto through their respective  
 31 counsel of record, that any and all extra-contractual claims or causes of action, including those set  
 32 forth in Plaintiffs' second and third causes of action in the Complaint (Doc. 1-1), shall be and hereby  
 33 are dismissed without prejudice;

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39 Case No. 2:24-cv-02322-APG-BNW

40 STIPULATION AND ORDER TO DISMISS PLAINTIFFS' EXTRA-CONTRACTUAL CAUSES OF ACTION  
 41 WITHOUT PREJUDICE AND TO WITHDRAW MOTION TO DISMISS

1 Based upon the foregoing, Liberty Mutual Personal Insurance Company's Motion to Dismiss  
2 (Doc. 7) is rendered moot. Therefore, the parties further stipulate to the withdrawal of Liberty  
3 Mutual Personal Insurance Company's Motion to Dismiss (Doc. 7).

4 DATED this 3<sup>rd</sup> day of January, 2025

5 MCCORMICK, BARSTOW, SHEPPARD,  
6 WAYTE & CARRUTH LLP

7 By /s/ Jonathan W. Carlson  
8 Jonathan W. Carlson, Nevada Bar No. 10536  
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Attorneys for Defendant

12 DATED this 3<sup>rd</sup> day of January, 2025

13 DIMOPOULOS INJURY LAW

14 By /s/ Garnet E. Beal  
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Attorneys for Plaintiffs

20 **IT IS SO ORDERED:**

21 DATED this 3rd day of January, 2025



23  
24 ANDREW P. GORDON  
25 CHIEF UNITED STATES DISTRICT JUDGE  
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